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09/576,484	05/23/2000	David Caidar	1961-PAT	3050
30084	7590	02/07/2005	EXAMINER	
DONN K. HARMS PATENT & TRADEMARK LAW CENTER SUITE 100 12702 VIA CORTINA DEL MAR, CA 92014			LI, SHI K	
			ART UNIT	PAPER NUMBER
			2633	

DATE MAILED: 02/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/576,484

Applicant(s)

CAIDAR ET AL.

Examiner

Shi K. Li

Art Unit

2633

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

### A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7 and 9-12 is/are allowed.
- 6) ☒ Claim(s) 1-6 and 13-16 is/are rejected.
- 7) ☒ Claim(s) 17-18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. The indicated allowability of claims 1-6 and 13-18 is withdrawn in view of the newly discovered reference(s) to Ogawa et al. (U.S. Patent 6,333,802 B1), Henderson et al. (U.S. Patent 5,670,962), Robertson (U.S. Patent 6,601,164 B1) and Williams et al. (U.S. Patent 6,384,948 B1). Rejections based on the newly cited reference(s) follow.

### ***Claim Objections***

2. Claim 7 is objected to because of the following informalities: Claim 7 recites "indica" in line 18 of the claim. It should read "indicia". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 2-5 and 15 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claim 2 recites "data rate and lock encoder" in line 9 of the claim. However, the instant specification does not teach a "data rate and lock encoder" in the transmitter. Instead, instant specification teaches in FIG. 1 a "data rate and level encoder" 22.

Art Unit: 2633

Similarly, claim 15 recites "data rate and lock encoder" in line 11 of the claim. However, the instant specification does not teach a "data rate and lock encoder" in the transmitter. Instead, instant specification teaches in FIG. 1 a "data rate and level encoder" 22.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 16 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Claim 16 recites the limitation "said visible indicia" in line 3 of the claim. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Ogawa et al. (U.S. Patent 6,333,802 B1).

Ogawa et al. discloses in FIG. 3 an optical fiber video transmission system comprising an optical transmitter 3 for receiving a video signal from coaxial cable 2. Ogawa et al. teaches in FIG. 4 details of the optical transmitter comprising a cable equalizer 10, a clock generator 11, an

Art Unit: 2633

E/O converter 13 and fiber cable 4. Ogawa teaches in col. 4, lines 5-6 to use laser for the E/O converter.

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ogawa et al. (U.S. Patent 6,333,802 B1) in view of Henderson et al. (U.S. Patent 5,670,962) and Robertson (U.S. Patent 6,601,164 B1).

Ogawa et al. has been discussed above in regard to claim 1. The differences between Ogawa et al. and the claimed invention are (a) Ogawa et al. does not teach power regulator and (b) Ogawa et al. does not teach power-on indicator. However, it is well known in the art to use power regulator for providing a stable electrical voltage to electronic components. For example, Henderson et al. teaches in FIG. 2 to use a power regulator to convert 12-volt power and generate a 5-volt power for a transceiver. One of ordinary skill in the art would have been motivated to combine the teaching Henderson et al. with the video transmission system of Ogawa et al. because a regulator provides stable electrical voltage to electronic components and eliminates noise caused by fluctuation in power source. Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a regulator for providing a stable power supply, as taught by Henderson et al., in the video transmission system of Ogawa et

Art Unit: 2633

al. because a regulator provides stable electrical voltage to electronic components and eliminates noise caused by fluctuation in power source.

The modified video transmission system of Ogawa et al. and Henderson et al. still fails to teach power-on indicator. However, the use of light on front panel for indicating various statuses is well known in the art. For example, Robertson teaches in FIG. 3 and col. 4, lines 4 power-on indicator 301. One of ordinary skill in the art would have been motivated to combine the teaching of Robertson with the modified video transmission system of Ogawa et al. and Henderson et al. because status indicator allows user to understand the operation condition of equipment and guides user in operating the equipment. Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to include power-on indicator, as taught by Robertson, in the modified video transmission system of Ogawa et al. and Henderson et al. because status indicator allows user to understand the operation condition of equipment and guides user in operating the equipment.

12. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ogawa et al. (U.S. Patent 6,333,802 B1) in view of Williams et al. (U.S. Patent 6,384,948 B1).

Ogawa et al. has been discussed above in regard to claim 1. Ogawa et al. further teaches in FIG. 3 optical receiver 5 and coaxial cable 6. The difference between Ogawa et al. and the claimed invention is that Ogawa et al. does not teach details of the receiver. Williams et al. teaches in FIG. 3 an optical receiver comprising a clock recovery module 42 for synchronizing the received data. One of ordinary skill in the art would have been motivated to combine the teaching of Williams et al. with the optical transmission system of Ogawa et al. because the receiving circuit of Williams et al. supports high data rate. Thus it would have been obvious to

Art Unit: 2633

one of ordinary skill in the art at the time the invention was made to use the receiving circuit of Williams et al. in the optical transmission system of Ogawa et al. because the receiving circuit of Williams et al. supports high data rate.

13. Claims 14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogawa et al. and Williams et al. as applied to claim 13 above, and further in view of Henderson et al. (U.S. Patent 5,670,962) and Robertson (U.S. Patent 6,601,164 B1).

Ogawa et al. and Williams et al. have been discussed above in regard to claim 13. The differences between Ogawa et al. and Williams et al. and the claimed invention are (a) Ogawa et al. and Williams et al. do not teach power regulator and (b) Ogawa et al. and Williams et al. do not teach a power-on indicator. However, it is well known in the art to use power regulator for providing a stable electrical voltage to electronic components. For example, Henderson et al. teaches in FIG. 2 to use a power regulator to convert 12-volt power and generate a 5-volt power for a transceiver. One of ordinary skill in the art would have been motivated to combine the teaching Henderson et al. with the modified video transmission system of Ogawa et al. and Williams et al. because a regulator provides stable electrical voltage to electronic components and eliminates noise caused by fluctuation in power source. Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a regulator for providing a stable power supply, as taught by Henderson et al., in the modified video transmission system of Ogawa et al. and Williams et al. because a regulator provides stable electrical voltage to electronic components and eliminates noise caused by fluctuation in power source.

The modified video transmission system of Ogawa et al., Williams et al. and Henderson et al. still fails to teach power-on indicator. However, the use of light on front panel for

Art Unit: 2633

indicating various statuses is well known in the art. For example, Robertson teaches in FIG. 3 and col. 4, lines 4 power-on indicator 301. One of ordinary skill in the art would have been motivated to combine the teaching of Robertson with the modified video transmission system of Ogawa et al., Williams et al. and Henderson et al. because status indicator allows user to understand the operation condition of equipment and guides user in operating the equipment. Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to include power-on indicator, as taught by Robertson, in the modified video transmission system of Ogawa et al., Williams et al. and Henderson et al. because status indicator allows user to understand the operation condition of equipment and guides user in operating the equipment.

Regarding claim 16, Robertson teaches in FIG. 3 a plurality of LEDs 301-311 for indicating various operating conditions of the system.

***Allowable Subject Matter***

14. Claims 2-5 and 15 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

15. Claims 7 and 9-12 are allowed.

16. Claims 17-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.




***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shi K. Li whose telephone number is 571 272-3031. The examiner can normally be reached on Monday-Friday (8:30 a.m. - 5:00 p.m.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached on 571 272-3022. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

skl  
1 February 2005

  
**M. R. SEDIGHIAN**  
**PRIMARY EXAMINER**